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REMARKS

Claims 1-4 are pending in this application, of which claim 1 is amended. No claim cancelled or added. No new matter has been added.

Remarkd in the Office Action is that Figure 4(B) should have the label --PRIOR ART. With the present response, applicant submits a Request for Approval of Drawing Changes with label --PRIOR ART-- added to Figure 4(B). Entry of the proposed drawings is hereby requested.

Claims 1 and 3 stand rejected under 35 U.S.C. § 103 as obvious over *Yamamoto et al.* Patent No. 6,316,826) in view of the prior art disclosed in the present application, referred to as admitted prior art (APA). Claim 1 is now amended, as shown above. Claim 3 depends from claim 1 and therefore incorporates the amendment by reference. Applicant submits that claims 1 and 3 are allowable over the applied prior art.

Claim 1 is amended to articulate the differences between the applicant's invention and the applied prior art. In particular, claim 1 now describes the high-frequency ceramic package as having first and second metal plates with thicknesses that are substantially equal. Support for this feature can be found in the specification, e.g., on p. 9, lines 3-5, and in fig. 2(B). Claim 1 also describes the first and second metal plates being jointed at approximately the same level. Support for this feature can also be found in fig. 2(B). Furthermore, claim 1 now describes the second metal plate as a substantially rectangular plate, which is apparent from both FIG. 2(A) and 2(B).

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The rejection of original claim 1 relied on *Yamamoto et al.* to disclose the high-freq ceramic package, except for the fixing cutouts as described. In particular, the rejection relied on metal member 4 anticipating the claimed "first metal plate" and on metal member 2 anticipating "second metal plate." *Yamamoto et al.*, however, does not teach the thicknesses of said first and second metal plates being substantially equal as now described in claim 1. (Though figs. 5-7 show both elements joined together, the relative thicknesses cannot be determined based on the drawings alone. See MPEP § 2125.) For the reason alone that *Yamamoto et al.* does not teach the thicknesses of said first and second metal plates being substantially equal, applicant submits that the rejection of claim 1 should be withdrawn.

Applicant adds that in *Yamamoto et al.*, not only does the thickness of metal member 4 differ from that of metal member 2, metal member 4 also has a step where a portion of metal member 2 is inserted. Therefore, it is necessary to form a step on metal member 4, resulting in a more complex manufacturing process thereby increasing costs. In addition, when the metal member 2 expands, metal member 2 pushes the bottom of metal member 4 without directly pushing the top, thereby inducing a curl, not only of metal member 4, but of the entire package. According to the prior invention, though, because the second metal plate is rectangular in a plane view and additional hollow portion of the first metal plate is also rectangular, matching the second metal plate, the manufacturing process is simplified. Moreover, as now described in claim 1, the first and second metal plates are at substantially the same level, unlike the configuration of *Yamamoto et al.*

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Still further, as noted in the application, p. 3, bottom paragraph, an object of the p invention is to provide a high-frequency ceramic package, adapted for additional heat si capacity and to decrease curl. Because the second metal plate fits entirely in the first metal pla present configuration can be expected to reduce more curl than the configuration of *Yamam al.*

Applicant adds that the invention described in claim 1, as amended, is also not disclo *Bergstedt et al.* In particular, the thicknesses of the first metal plate (carrier element 5) ar second metal plate (block 25) differ greatly and further, the first and second metal plates a disposed at substantially the same level. Accordingly, applicant concludes that the present inve differs significantly from the configuration of *Bergstedt et al.*

Also, applicant notes that *Bergstedt et al.* was filed December 15, 2000, and the priorit claimed for the present application is September 20, 2000. Upon filing a verified translation Japanese priority document, applicant should obtain the benefit of the earlier priority date. In of the amendment to independent claim 1, however, applicant submits that a verified translat not necessary to overcome the rejection of claim 2 based in part on *Bergstedt et al.* In the ever the Examiner decides to maintain the rejection based in part on *Bergstedt et al.*, he is reques contact the undersigned to obtain the verified translation.

Regarding *Nebe et al.*, applicant submits that the feature of the second metal plate hav

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thickness substantially equal to that of the first metal plate, and the second metal plate inserted into the hollow portion of the first metal plate, and the ends of the first and second metal plates brazed, is not disclosed. Therefore, *Nebe et al.* does not help cure the deficiency of the other art references to render the claims unpatentable.

In view of the amendments and remarks above, applicant submits that claims 1-10 are allowable over the applied prior art. Accordingly, withdrawal of the obviousness rejection under U.S.C. § 103 is now requested.

As a final matter, applicant notes that the Office Action does not indicate receipt of the information disclosure statement (IDS) filed with the application on May 1, 2001. Also, while the Office Action suggests receipt of a priority document on form PTO-326, box 13(1), box 13(a) is blank. Applicant requests that the Examiner acknowledge receipt of both documents in the Office Action.

In view of the aforementioned amendments and accompanying remarks, applicant respectfully submits that entire application is now in condition for allowance. A Notice of Allowability is hereby solicited.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicant's undersigned attorney at the telephone number indicated below.

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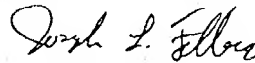
below to arrange for disposition of the case.

Attached hereto is a marked-up version of the changes made to the specification and to 1 by the current amendment. The attached page is captioned "Version of amendment markings to show changes made."

Because the shortened statutory period for reply to the Office Action was set to expire 4, 2002, applicant petitions for a one (1) month extension of time. The \$100.00 fee for su extension or any other fees which may be due with respect to this paper, may be charged to De Account No. 01-2340.

Respectfully Submitted,

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PATENT TRADEMARK OFFICE

Enclosures: Version of amendment with markings to show changes made  
Request for Approval of Drawing Changes